

CRM (A) 2000 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Patiram** Police Station Case No. **66** of **2025** dated **21.03.2025** under Sections **126(2)/115(2)/117(2)/118(2)/109(1)/3(5)** of the Bharatiya Nyaya Sanhita, 2023, pending before the Court of the learned Judicial Magistrate, Dakshin Dinajpur at Blaurghat.

And

In the matter of : **Shyamal Prasad**

..... Petitioner

Mr. Biswajit Manna

... For the petitioner

Mr. Binoy Kumar Panda

Mr. Shashanka Shekhar Sinha

... For the State

1. Learned counsel appearing on behalf of the petitioner has submitted that the petitioner is not involved in commission of any of the offences under Section 126(2)/115(2)/117(2)/118(2)/109(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023 (in short, 'BNS'). He has further submitted that both the victim and the petitioner are cousin brothers and there was dispute with respect to a construction.

2. Learned counsel appearing on behalf of the State has referred to the injury report showing grievous in nature as well as the statement recorded under Section 161 of the Code of Criminal Procedure (Section 180 of the BNSS).

3. After careful scrutiny of the evidence recorded including FIR, I am inclined to grant anticipatory bail in respect of the accused Shyamal Prasad.

4. Accordingly, I direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the BNSS and to add to that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in case of any violation, the learned Trial Court shall have the liberty to cancel the anticipatory bail and to take all steps to ensure the presence of the petitioner/accused in Court without further reference to this Court.

5. This application for anticipatory bail is, thus, allowed.

6. Accordingly, CRM (A) 2000 of 2025 stands disposed of.

7. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

8. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Bibhas Ranjan De, J.)